

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	Criminal No. 15-158
v.)	
)	Judge Cathy Bissoon
ANTONIO RUTHERFORD,)	
)	
Defendant.)	

MEMORANDUM OPINION

Defendant’s Motion (Doc. 144) for a reduction in sentence under Amendment 821 will be denied, for the many reasons stated in the government’s Response in opposition (Doc. 153), which are incorporated by reference. He is ineligible for a “status points” reduction, because no status points were assessed in connection with the original Judgment. He is ineligible for an “unusually long sentence” reduction, under Guideline Section 1B1.13, because he has not served at least 10 years in prison (nor has he shown exhaustion of administrative remedies).

Even were Defendant eligible for any type of relief, the Court nevertheless would reject his request under the sentencing factors in Section 3553. The seriousness of Defendant’s crimes, and severity of the consequences (*i.e.*, having caused an overdose death), cannot be overlooked. His victim’s family has submitted a letter, opposing a reduction. Their statements are compelling, and the Court agrees with their sentiments. In short, the Court cannot say with greater confidence, and certainty, that a reduced-sentence would be *inadequate* to address the factors in Section 3553 regarding the nature and consequences of Defendant’s criminal conduct, and the needs for just punishment and deterrence.

For these reasons, Defendant's Motion (**Doc. 144**) will be **DENIED**. An order will be filed herewith.¹

April 23, 2024

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

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¹ The Court will file form-order AO 247, titled, "Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)." The document is used to facilitate the Sentencing Commission's collection and reporting of data regarding motions filed pursuant to Amendment 821. The second page of the two page form-order is not intended for public disclosure. Accordingly, the Court will transmit to Defendant this Memorandum Opinion and page 1 of form-Order AO 247, but not page 2. Importantly, the information supplied on page 2 – a statement of reasons for the Court's decision – are identical to the contents of this Memorandum Opinion. No information has been withheld.